



Designation and Sentence Computation Center

*U.S. Armed Forces Reserve Complex
346 Marine Forces Drive
Grand Prairie, Texas 75051*

May 23, 2022

The Honorable J. Campbell Barker
United States District Judge
for the Eastern District of Texas
211 W. Ferguson
Tyler, Texas 75702

Re: United States v. Lance Wade Allen
Case Number: 6:20-CR-00097-JCB-JDL(11)
Federal Register Number: 24761-509

Dear Judge Barker:

On January 11, 2022, Lance Wade Allen was sentenced to a 72-month term of imprisonment for Conspiracy to Possess with Intent to Distribute 50 Grams or More of Methamphetamine (Actual) in the United States District Court for the Eastern District of Texas. The Court indicated the defendant receive credit for time served from March 5, 2020.

Our records reflect, on March 5, 2020, Mr. Allen was arrested in Gregg County, Texas for Possession or Delivery of Drug Paraphernalia (Case No. C-143-20P1), Driving While License Suspended (Case No. C-1449-19P3), and Manufacture/ Delivery of Controlled Substance (pending). He remained in state custody.

On March 9, 2020, the Justice of the Peace Court, Gregg County, Texas, sentenced Mr. Allen to time Served for Driving While License Suspended, Case No. C-1449-19P3. On March 27, 2020, the same court sentenced Mr. Allen to an additional 35-day term for Possession or Delivery of Drug Paraphernalia, Case No. C-143-20P1. On April 8, 2020, he satisfied the 35-day term of imprisonment. Mr. Allen remained in custody on pending charges for Manufacture/ Delivery of Controlled Substance. On December 18, 2020, he posted bond and released to Harrison County, Texas. On January 20, 2021, he was sentenced to time served for Speeding and Driving While Licensed Invalid, Case Nos. 122984 and 122985. The state applied prior custody credit from December 22, 2020, through January 20, 2021.

On January 20, 2021, he was "borrowed" pursuant to a federal writ of Habeas Corpus Ad Prosequendum, from the State of Texas. On January 11, 2022, he was sentenced in the United States District Court for the Eastern District of Texas to a 72-month term of imprisonment.


On January 24, 2022, he was returned to Harrison County, Texas for the remainder of pending charges of Defective Tail Lamps, two counts of Driving While License Invalid, and a violation of Probation, Case Nos. 123828, 123827, 123607, and 170165X. The state applied prior custody credit from January 24, 2022, through March 9, 2022. On March 9, 2022, he satisfied his state obligations and released to exclusive federal custody to begin his federal sentence.

Bureau of Prisons Program Statement 5880.28, Sentence Computation Manual (CCCA of 1984), and Title 18 U.S.C. § 3585(b), preclude the application of credit for time that has been credited against another sentence. Therefore, credit from March 5, 2020, through April 8, 2020, December 22, 2020, through January 20, 2021, and January 23, 2022, through March 8, 2022, is not applicable as he was in service of a state sentence. However, the Bureau did apply credit from April 9, 2020, through December 21, 2020, and January 21, 2021, through January 23, 2022. Mr. Allen has a projected release date of August 2, 2025.

Pursuant to 18 U.S.C. § 3553(a) and USSG § 5G1.3(b), it is within the Court's authority to impose a sentence adjusted to account for time a defendant spent in custody not creditable under 18 U.S.C. § 3585(b). The Bureau has no authority to adjust a term or apply credit in accordance with this guideline.

The Bureau strives to administer sentences in accordance with federal statute, Bureau policy, and federal case law. Should you require additional information, please do not hesitate to contact me at 972-352-4449.

Sincerely,


Kathy Williams
Chief, Sentence
Computations

rgg

cc: Dan Ryan Locker
Assistant U.S. Attorney

U.S. Department of Justice

Federal Bureau of Prisons

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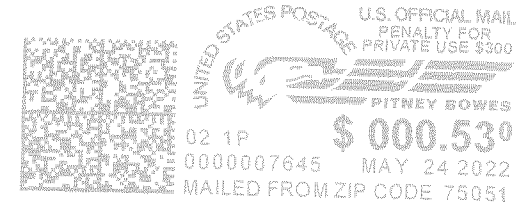
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